

REMARKS

This Application has been carefully reviewed in light of the Office Action mailed May 19, 2009. Claims 21-40 are pending in this Application, Claims 31-34 and 38 stand rejected under 35 U.S.C. § 102(e) and Claims 21-30, 35-37, and 39-40 stand rejected under 35 U.S.C. § 103(a). Claims 21 and 31 have been amended. Claims 1-20 were previously cancelled without prejudice or disclaimer. Applicants respectfully request reconsideration and favorable action in this case.

Rejections under 35 U.S.C. § 102

Claims 31-34 and 38 stand rejected by the Examiner under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent Application Publication No. 2006/0063544 by Zhao ("Zhao"). Applicants respectfully traverse and submit *Zhao* does not teach all of the elements of the claimed embodiment of the invention.

"A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 U.S.P.Q.2d 1051, 1053 (Fed. Cir. 1987). Furthermore, "the identical invention must be shown in as complete detail as is contained in the ... claim." *Richardson v. Suzuki Motor Co. Ltd.*, 868 F.2d 1226, 1236, 9 U.S.P.Q.2d 1913, 1920 (Fed. Cir. 1989). Applicants respectfully submits that the art cited as anticipatory by the Examiner cannot anticipate the rejected Claims, because the cited art does not show all the elements of the present Claims.

Claim 31, as amended, recites the limitation, "an auto reset trigger device which internally produces an autoreset signal." Applicants submit that the cited prior art does not teach the recited limitation. In fact, *Zhao* teaches that the connection termination (argued by the Examiner to be equivalent to an autoreset signal) is initiated by the network, not the device in question. *Zhao* at [0022], [0026]. Referring to FIG. 2, the mobile terminal receives a "Release Order" or a "PPP Termination Request." *Zhao* does not teach that an autoreset signal is generated internally by a radio module to initiate an autoreset process. The disconnection processes described in *Zhao* are dependent upon receiving network instructions

for disconnection. The radio module in *Zhao* must receive a "Release Order" or "PPP Termination Request," which are issued by the network in response to congestion in the wireless network. *Zhao* at [0026]. Thus, the prior art does not teach or suggest all the limitations of Claim 31.

Claim 33 recites the limitation, "a first timer for detecting when a first time interval has elapsed which is connected to the autoreset trigger device, which can output an autoreset signal when the first time interval has elapsed." The Examiner argues that *Zhao* discloses the limitation by the means of a "service check timer" in paragraph [0023]. Applicants respectfully disagree. The first timer detects when the first time interval has elapsed and is connected to the autoreset trigger device, which can then output an autoreset signal. In contrast, the service check timer of *Zhao* initiates a check whether the current connection is still active, but does not support the functionality of the autoreset trigger device. Thus, the prior art does not teach or suggest all the limitations of Claim 33.

For the at least the above reasons, Applicants respectfully traverse and submit *Zhao* does not teach all of the elements of Claims 31 and 33, and submit that Claims 31 and 33 are in a condition for allowance. In addition, Claim 33 depends from Claim 31, and as such is in a condition for allowance. In addition, Claims 32 and 33-40 depend from Claim 31, and as such are in a condition for allowance.

Rejections under 35 U.S.C. § 103

Claims 21-25 and 28 were rejected under 35 U.S.C. § 103(a) as being unpatentable over *Zhao* in view of U.S. Patent No. 6,249,681 by Virtanen ("*Virtanen*"). Applicants respectfully traverse and submit the cited art combinations, even if proper, which Applicants do not concede, does not render the claimed embodiment of the invention obvious.

Claims 26 and 27 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over *Zhao* in view of *Virtanen* and further in view of U.S. Patent No. 6,356,755 by Valentine et al. ("*Valentine*"). Applicants respectfully traverse and submit the cited art combinations, even if proper, which Applicants do not concede, does not render the claimed embodiment of the invention obvious.

Claim 29 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over *Zhao* in view of *Virtanen* and further in view of U.S. Patent No. 5,481,610 by Doiron et al. ("*Doiron*"). Applicants respectfully traverse and submit the cited art combinations, even if

proper, which Applicants do not concede, does not render the claimed embodiment of the invention obvious.

Claim 30 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over *Zhao* in view of *Virtanen* and further in view of U.S. Patent Application Publication No. 2003/0061503 by Katz et al. ("*Katz*"). Applicants respectfully traverse and submit the cited art combinations, even if proper, which Applicants do not concede, does not render the claimed embodiment of the invention obvious.

Claims 35 and 36 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over *Zhao* in view of *Valentine*. Applicants respectfully traverse and submit the cited art combinations, even if proper, which Applicants do not concede, does not render the claimed embodiment of the invention obvious.

Claim 37 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over *Zhao* in view of *Doiron*. Applicants respectfully traverse and submit the cited art combinations, even if proper, which Applicants do not concede, does not render the claimed embodiment of the invention obvious.

Claim 39 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over *Zhao* in view of *Doiron*. Applicants respectfully traverse and submit the cited art combinations, even if proper, which Applicants do not concede, does not render the claimed embodiment of the invention obvious.

Claim 40 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over *Zhao* in view of *Katz*. Applicants respectfully traverse and submit the cited art combinations, even if proper, which Applicants do not concede, does not render the claimed embodiment of the invention obvious.

In order to establish a prima facie case of obviousness, the references cited by the Examiner must disclose all claimed limitations. *In re Royka*, 490 F.2d 981, 180 U.S.P.Q. 580 (C.C.P.A. 1974). Even if each limitation is disclosed in a combination of references, however, a claim composed of several elements is not proved obvious merely by demonstrating that each of its elements was, independently, known in the prior art. *KSR Int'l. Co. v. Teleflex Inc.*, 127 S.Ct. 1727, 1741 (2007). Rather, the Examiner must identify an apparent reason to combine the known elements in the fashion claimed. *Id.* "Rejections on obviousness grounds cannot be sustained by mere conclusory statements; instead, there must

be some articulated reasoning with some rational underpinning to support the legal conclusion of obviousness.” *Id.*, citing *In re Kahn*, 441 F.3d 977, 988 (Fed. Cir. 2006). Finally, the reason must be free of the distortion caused by hindsight bias and may not rely on ex post reasoning. *KSR*, 127 S.Ct. at 1742. In addition, evidence that such a combination was uniquely challenging or difficult tends to show that a claim was not obvious. *Leapfrog Enterprises, Inc. v. Fisher-Price, Inc. and Mattel, Inc.*, 485 F.3d 1157, 1162 (Fed. Cir. 2007), citing *KSR*, 127 S.Ct. at 1741.

Claim 21, as amended, recites the limitation, “internally generating an autoreset signal in the radio module.” Applicants submit that the cited prior art does not teach the recited limitation. As discussed above, *Zhao* does not suggest or teach that the radio module generates the autoreset signal; instead, *Zhao* teaches that a termination request is sent from the network. Likewise, *Virtanen* does not teach this limitation. Thus, Applicants respectfully traverse and submit that the cited prior art does not teach or suggest all the limitations of Claim 21.

In addition, Claim 21 recites the limitations “storing login data for the radio module in the radio network,” and “deleting login data from the radio network when the radio module logs out.” Applicants submit that the cited prior art does not teach the recited limitation. The Examiner argues that *Virtanen*, Fig. 4, step 408, Col. 9:65-66, and Col. 10:55-58 teaches this limitation. Applicants respectfully disagree. As can be seen in Fig. 4 of *Virtanen*, log-in data of the connection between the radio module and the network are stored in the network. However, this is done in the context of a “Release Order,” after a mobile device provides signaling indicating that a reconnection is possible. Accordingly, as shown in Col. 10:55-58, the data is deleted only after a predetermined time span has elapsed without success, and not, as required by Claim 21, when logging off the radio module. Likewise, *Zhao* does not teach this limitation. Thus, Applicants respectfully traverse and submit that cited prior art does not teach or suggest all the limitations of Claim 21 and is in a condition for allowance.

Claims 22-30 depend from Claim 21, and Applicants respectfully traverse and submit that the cited prior art also does not teach or suggest all the limitations of Claims 22-30 and the Claims are in a condition for allowance.

Claims 35-37 and 39 depend from Claim 31. As discussed previously, the cited prior art does not teach or suggest all the limitations of Claim 31. Likewise, Applicants respectfully traverse and submit that the cited prior art does not teach or suggest all the limitations of Claim 35-37 and 39 and the Claims are in a condition for allowance.

No Waiver

All of Applicants' arguments and amendments are without prejudice or disclaimer. Additionally, Applicants have merely discussed example distinctions from the references relied upon. Other distinctions may exist, and Applicants reserve the right to discuss these additional distinctions in a later Response or on Appeal, if appropriate. By not responding to additional statements made by the Examiner, Applicants do not acquiesce to the Examiner's additional statements. The example distinctions discussed by Applicants are sufficient to overcome the rejections asserted in the present Office Action.

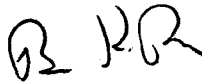
CONCLUSION

Applicants have made an earnest effort to place this case in condition for allowance in light of the amendments and remarks set forth above. Applicants respectfully request reconsideration of the pending claims.

Applicant encloses a Petition for Extension of Time for three months and authorizes the Commissioner to charge the amount of \$1,110 to Deposit Account No. 50-2148 of Baker Botts L.L.P. Applicant believes no additional fees are due, however the Commissioner is hereby authorized to charge any additional fees necessary or credit any overpayment to Deposit Account No. 50-2148 of Baker Botts L.L.P in order to effectuate this filing.

If there are any matters concerning this Application that may be cleared up in a telephone conversation, please contact Applicants' attorney at 512.322.2684.

Respectfully submitted,
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Date: November 18, 2009

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